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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|--|-------------|----------------------|---------------------|------------------|
| 09/903,193 | 07/11/2001 | Jukka Hautanen | 4208-4014 | 9960 |
| 27123 | 7590 | 11/01/2005 | EXAMINER | |
| MORGAN & FINNEGAN, L.L.P. 3 WORLD FINANCIAL CENTER NEW YORK, NY 10281-2101 | | | LIANG, REGINA | |
| | | | ART UNIT | PAPER NUMBER |
| | | | 2674 | |
| DATE MAILED: 11/01/2005 | | | | |

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/903,193

Applicant(s)

HAUTANEN ET AL.

Examiner

Regina Liang

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 9/9/05.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-22, 24, 25, 27-45 and 47-70 is/are pending in the application.
4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 1-22, 27-45 and 47-68 is/are allowed.
- 6) ☒ Claim(s) 24, 25, 69 and 70 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. This Office action is responsive to amendment filed 9/9/05. claims 1-22, 24, 25, 27-45, 47-70 are pending in this application.

2. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

Claim Rejections - 35 USC § 112

3. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

4. Claims 24 and 25 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claims 24 and 25 are indefinite since they depend on cancelled claim 23.

Claim Rejections - 35 USC § 102

5. Claims 69, 70 are rejected under 35 U.S.C. 102(e) as being anticipated by Graham et al (US. PAT. NO. 6,804,659 hereinafter Graham).

No patentable weight is given to the claimed invention as having a "bistable display" since the body of the claim does not depend on the preamble for completeness but, instead, the process steps or structural limitations are able to stand alone.

As to claims 69, 70, Graham discloses a method and computer program for distributing online advertising to viewers at the users' terminal (Fig. 2) based upon the viewers' interests is provided, such as when a user is viewing a portion of a document which contains many highlighted keywords related to the user's concepts of interest, the user can be sufficiently interested in such a document portion to closely read the contents, therefore, advertising can be targeted based upon the information that the user is currently reading, the server can provide better advertising for a user based upon the current document (particular content) the user being viewed. Fig. 1B of Graham discloses a method and computer program of advertising to a user of a terminal comprising storing content (document is stored in profile content recognizer), storing advertisements pre-identified for presentation to the user when particular content is requested (the user interested advertisements (pre-identified advertisements) based upon the current document the user being viewed which are stored in the database 18), receiving a request for content from the user terminal (e.g. see col. 10 lines 62-68), transmitting the requested content to the user terminal, selected an advertisement linked to the requested content, and transmitting the selected advertisement to the user terminal for display (see col. 4, line 64 to col. 6, line 47 for example).

Claim Rejections - 35 USC § 103

6. Claims 69 and 70 are rejected under 35 U.S.C. 103(a) as being unpatentable over Thompson in view of Graham.

Thompson discloses a method of advertising to a user of a terminal (annunciator 10) having a bistable display (col. 7, lines 34-36), comprising displaying content on the display (e.g.

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content information such as news, weather, etc. displayed on the display 14 as shown in Figs. 5-7, it is inherent that the terminal storing content in order to display the content), receiving an advertisement via one of an Internet or a digital video broadcast network (e.g. col. 3, lines 46-61, it is inherent that the advertisements are stored in the advertisement data base), and displaying the advertisement on the display (col. 5, lines 48-55 for example). Thompson does not disclose storing advertisements pre-identified for presentation to the user when particular content is requested, stored content, receiving a request for content from the user terminal, selecting an advertisement linked to the requested content. However, Graham discloses a method and computer program for distributing online advertising to viewers at the users' terminal (Fig. 2) based upon the viewers' interests is provided, such as when a user is viewing a portion of a document which contains many highlighted keywords related to the user's concepts of interest, the user can be sufficiently interested in such a document portion to closely read the contents, therefore, advertising can be targeted based upon the information that the user is currently reading, the server can provide better advertising for a user based upon the current document (particular content) the user being viewed. Fig. 1B of Graham discloses a method and computer program of advertising to a user of a terminal comprising storing content (document is stored in profile content recognizer), storing advertisements pre-identified for presentation to the user when particular content is requested (the user interested advertisements (pre-identified advertisements) based upon the current document the user being viewed which are stored in the database 18), receiving a request for content from the user terminal (e.g. see col. 10 lines 62-68), transmitting the requested content to the user terminal, selected an advertisement linked to the requested content, and transmitting the selected advertisement to the user terminal for display

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(see col. 4, line 64 to col. 6, line 47 for example). Thus, it would have been obvious to one having ordinary skill in the art at the time the invention was made to modify Thompson to store advertisements linked to the stored content and select an advertisement linked to the requested content as taught by Graham so as to provide target advertisements that would be of interest to a user of the terminal.

Allowable Subject Matter

7. Claims 1-22, 27-45, 47-68 are allowed.
8. Claims 24 and 25 would be allowable if rewritten to overcome the rejection(s) under 35 U.S.C. 112, 2nd paragraph, set forth in this Office action and to include all of the limitations of the base claim and any intervening claims.

Response to Arguments

9. Applicant's arguments with respect to claims 69 and 70 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

10. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period

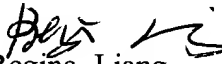
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will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

11. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Regina Liang whose telephone number is (571) 272-7693. The examiner can normally be reached on Monday-Friday from 8AM to 5:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Patrick Edouard, can be reached on (571) 272-7603. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


Regina Liang
Primary Examiner
Art Unit 2674

10/28/05